

AMENDED IN SENATE JUNE 16, 2010

AMENDED IN SENATE MAY 27, 2010

AMENDED IN SENATE APRIL 28, 2010

AMENDED IN SENATE APRIL 8, 2010

SENATE BILL

No. 1118

Introduced by Senator Ashburn

February 17, 2010

An act to add Section 84207 to the Government Code, relating to the Political Reform Act of 1974, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1118, as amended, Ashburn. Political Reform Act of 1974: contributions: disclosure.

Existing law, the Political Reform Act of 1974, requires reporting of contributions made to a candidate for elective state office. Certain contributions are required to be reported to the Secretary of State within 24 hours.

This bill would require the Governor or a Member of the Legislature during a specified state budget time period or a specified period before or after the end of the first year or 2nd year of a legislative session to file online a report disclosing a separate contribution exceeding \$1,000 within 24 hours of the time the contribution is received. The bill would require the Fair Political Practices Commission to issue a reporting calendar by January 15 of each year which delineates the new reporting periods.

Existing law makes a violation of the act subject to administrative, civil, and criminal penalties.

By subjecting persons who violate these provisions to criminal penalties, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 84207 is added to the Government Code,
2 to read:

3 84207. (a) ~~In~~ Beginning January 1, 2011, in addition to any
4 other report required by this title, the Governor and any Member
5 of the Legislature who receives a contribution or contributions
6 from a person as specified in subdivision (b) shall file online or
7 electronically with the Secretary of State a report disclosing receipt
8 of each separate contribution of more than one thousand dollars
9 (\$1,000). The report shall disclose the same information required
10 by subdivision (a) of Section 84203 and shall be filed within 24
11 hours of receipt of the contribution.

12 (b) Subdivision (a) applies to contributions made as follows:

13 (1) A contribution made to the Governor or a Member of the
14 Legislature during the time period between the date in May that
15 the Director of Finance, pursuant to subdivision (d) of Section
16 13308, or a successor statute, provides to the Legislature a revised
17 estimate of the General Fund revenues for the current fiscal year
18 and the ensuing fiscal year, any proposals to reduce expenditures
19 based on that estimate, and any proposed adjustments to the
20 Governor's Budget, and the date of the enactment of the Budget
21 Bill for the fiscal year commencing the following July 1.

1 (2) A contribution made to the Governor or a Member of the
2 Legislature during the 15-day period before the date scheduled for
3 the Legislature to adjourn in joint recess to reconvene in the second
4 calendar year of the biennium of the legislative session or during
5 the 15-day period before September 1 of the second calendar year
6 of the biennium of the legislative session.

7 (3) A contribution made to the Governor during the 30-day
8 period following the date the Legislature adjourns in joint recess
9 to reconvene in the second calendar year of the biennium of the
10 legislative session or during the 30-day period following September
11 1 of the second calendar year of the biennium of the legislative
12 session.

13 (c) The commission shall issue a reporting calendar no later
14 than January 15 of each year which delineates the reporting periods
15 required by this section.

16 (d) A contribution that is required to be reported within 24 hours
17 of the receiving of that contribution pursuant to any other provision
18 of law, is not required to be reported again pursuant to this section.

19 SEC. 2. No reimbursement is required by this act pursuant to
20 Section 6 of Article XIII B of the California Constitution because
21 the only costs that may be incurred by a local agency or school
22 district will be incurred because this act creates a new crime or
23 infraction, eliminates a crime or infraction, or changes the penalty
24 for a crime or infraction, within the meaning of Section 17556 of
25 the Government Code, or changes the definition of a crime within
26 the meaning of Section 6 of Article XIII B of the California
27 Constitution.

28 SEC. 3. The Legislature finds and declares that this bill furthers
29 the purposes of the Political Reform Act of 1974 within the
30 meaning of subdivision (a) of Section 81012 of the Government
31 Code.

32 SEC. 4. *This act is an urgency statute necessary for the*
33 *immediate preservation of the public peace, health, or safety within*
34 *the meaning of Article IV of the Constitution and shall go into*
35 *immediate effect. The facts constituting the necessity are:*

36 *In order for state agencies to meet critical deadlines established*
37 *by this legislation, it is necessary that this act take effect*
38 *immediately.*